

CERTIFICATE UNDER 37 C.F.R. 1.10

In Re: Manfred Faubel, et al.

Invention: Liquid Trap for Collecting Liquids in a Vacuum Device

Docket No.: 46955.22

Customer No.: 23973

Patent Application No.: 10/527,676

371 Filing Date: 11 March 2005

Confirmation No.: 8603

Examiner: Not Yet Assigned

EXPRESS MAIL: EV 592625445 US

DATE OF DEPOSIT: 4 May 2006

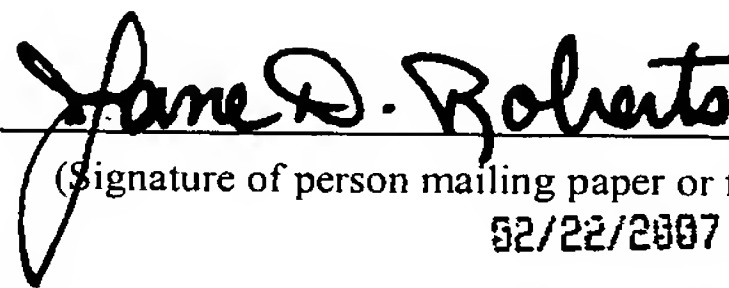
I hereby certify that the following correspondence

Declaration under 37 CFR 1.497(d) (in duplicate)**Statement by Inventors and Statement of Consent by Assignee****True Copy of Assignment and Notice of Recordation****True Copy of Combined Declaration/Power of Attorney****Exhibit A: Copy of 92bis Request Letter****Exhibit B: Printout of Application from EPO Website****Copy of USPTO Decision Dated 17 March 2006****Check for Processing Fee of \$130.00****Return Receipt Postcard**

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT (EO/US) PCT Legal Office, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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(Typed or printed name of person mailing paper)



(Signature of person mailing paper or fee)

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International Division

- 8 MAY 2006

Legal Staff
International Division

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 46955.22

Customer Number: 23973

In re application of: Manfred Faubel, et al.

Serial No.: 10/527,676

371 Filing Date: 11 March 2005

Intl. Application No.: PCT/EP03/10164

Intl. Filing Date: 12 September 2003

Examiner: Not Yet Assigned

Confirmation No. 8603

Title: Liquid Trap for Collecting Liquids in a Vacuum Device

**Declaration Naming an Inventive Entity Different from the Inventive Entity Set Forth
in the International Application (37 CFR 1.497 (d))**

Mail Stop: PCT EO/US - PCT Legal Office
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Mr. Dombroske:

We request that the inventorship of the above captioned application be amended to include the following three inventors: Bernd Abel, Jens Assman, and Eugene Lugovoi. A Request under PCT 92bis to add these three inventors to the International Application was filed on 23 November 2004 (Exhibit A), but appears not to have been acted upon by WIPO. The EPO did act by adding the three inventors, as the file wrapper image on Esp@cenet shows (Exhibit B). We hereby petition the US Elected Office to accordingly add the three inventors.

Included with this Declaration are:

- ◆ Statement under 37 CFR 1.497 (d)(1) by Bernd Abel, Jens Assman, and Eugene Lugovoi;
- ◆ Statement of Consent by Assignee Max-Planck-Gesellschaft
- ◆ True Copy of Assignment consented to and executed by all six inventors, with USPTO Notice of Recordation;
- ◆ True Copy Combined Declaration/Power of Attorney executed by all inventors;
- ◆ Processing fee set forth in 37 CFR 1.17 (i).

Authorization is hereby granted to charge any additional fees or credit any over-payment to deposit account No. 50-0573. A duplicate of this authorization is enclosed.

Respectfully submitted,



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Dated: 4 May 2006

EV592625445US



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23. November 2004

Aktenzeichen: PCT/EP2003/010164
Anmelder: Max-Planck-Gesellschaft zur Förderung der
Wissenschaften e.V. et al.
Unser Zeichen: 15811/PCT yi

Antrag gemäß Regel 92^{bis}PCT

Es wird gemäß Regel 92^{bis}PCT beantragt, ergänzend zu den im Antrag vom 12. September 2003 genannten Personen die folgenden Personen als Anmelder und Erfinder (Anmelder nur für die Vereinigten Staaten von Amerika) zu registrieren:

Prof. Dr. Bernd Abel, Hohler Weg 4D,
37127 Dransfeld, Sitz/Staatsangehörigkeit: DE

Dr. Jens Aßmann, Augartenstraße 95,
68165 Mannheim, Sitz/Staatsangehörigkeit: DE

Dr. Eugene Lugovoi, Im Hassel 11,
37077 Göttingen, Sitz/Staatsangehörigkeit: DE.

Es wird um die Übersendung einer amtlichen Bestätigung der Änderung der Anmeldeangaben gebeten.

A handwritten signature in black ink, appearing to read 'O. Hertz', written over the printed name.



Dr. Oliver Hertz

Patentanwalt

LIQUID TRAP FOR RECEIVING LIQUIDS IN A VACUUM DEVICE

Patent number: EP1537765
Publication date: 2005-06-08
Inventor: FAUBEL MANFRED (DE); CHARVAT ALES (DE); TROE JUERGEN (DE); ABEL BERND (DE); ASSMAN JENS (DE); LUGOVOI EUGENE (DE)
Applicant: MAX PLANCK GES ZUR FOERDERUNG (DE); GEORG AUGUST UNI GOETTINGEN (DE)
Classification:
- **International:** *H01J49/06; H01J49/16; H01J49/42; H05G2/00; H01J49/02; H01J49/10; H01J49/34; H05G2/00; (IPC1-7): H05G2/00; H01J49/00*
- **European:** H01J49/06; H01J49/16A; H01J49/42B2; H05G2/00
Application number: EP20030797299 20030912
Priority number(s): DE20021042622 20020913; WO2003EP10164 20030912

Also published as:

 WO2004028219 (A1)
 DE10242622 (A1)

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Abstract not available for EP1537765

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1835 Market Street, 14th Floor
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In re Application of
Faubel et al.
Application No.: 10/527,676
PCT No.: PCT/EP03/10164
Int. Filing Date: 12 September 2003
Priority Date: 13 September 2002
Attorney Docket No.: 46955.22
For: Liquid Trap For Collecting
Liquids In A Vacuum Device

DECISION

This is in response to the "Response To Notification Of Missing Requirements..." filed on 16 December 2005.

BACKGROUND

This international application was filed on 12 September 2003, claimed an earlier priority date of 13 September 2002, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 01 April 2004. The 30 month time period for paying the basic national fee in the United States expired at midnight on 14 March 2005 (since 13 March 2005 was a Sunday). Applicant filed *inter alia* the basic national fee on 11 March 2005.

On 12 October 2005, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant, requiring the submission of an executed oath or declaration and a surcharge under 37 CFR 1.492(h).

DISCUSSION

The instant "Response..." is accompanied by the surcharge under 37 CFR 1.492(h) and by a signed declaration. Inspection of the declaration reveals that it nominates three joint inventors (Bernd Abel, Jens Assman and Eugene Lugovoi) who are not named in the published international application. The application file currently contains no evidence suggesting that any of said three inventors were added to the international application pursuant to PCT Rule 92*bis*. Accordingly, it would not be appropriate to accept the declaration on the basis of the present record. Counsel may wish to entertain the possibility of filing a submission pursuant to PCT Rule 1.497(d) to resolve this matter.

DECISION

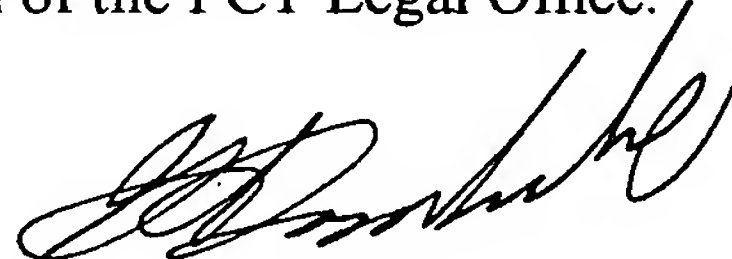
The declaration filed on 16 December 2005 is **NOT ACCEPTED**, without prejudice.

Applicants are required to file a response within *EITHER* the remainder of the period to respond to the Form PCT/DO/EO/905 mailed on 12 October 2005 (as extendable under 37 CFR 1.136(a)) *OR ONE (1) MONTH* of the mailing date of this decision (**NOT** extendable under 37 CFR 1.136(a)), whichever time period expires later. Failure to reply will result in **ABANDONMENT** of this international application with respect to the U.S. national stage.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Mail Stop PCT, Alexandria, VA 22313-1450, with the contents of the letter marked to the attention of the PCT Legal Office.



Boris Milef
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PCT Legal Office



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